

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Newport News Division

MELINDA SMITH,

Plaintiff,

v.

ATLAS NORTH AMERICA, LLC, et al.,

Defendants.

Civil No. 4:23cv95

**ORDER**

Before the Court is a Report and Recommendation issued by Magistrate Judge Lawrence R. Leonard on July 16, 2025. Report & Rec., ECF No. 63. Therein, Judge Leonard, having held a hearing on the matter on July 16, 2025, recommends denial of Defendant Atlas North America LLC's ("Defendant") Motion for Sanctions (ECF No. 52). Report & Rec., ECF No. 63.

The Motion for Sanctions requested, in addition to attorney's fees, dispositive relief in the form of dismissal of a party. *See* Fed. R. Civ. P. 72(b) (requiring magistrate judges to "enter a recommended disposition, including, if appropriate, proposed findings of fact" when referred dispositive matters). Therefore, pursuant to Federal Rule of Civil Procedure 72(b), Judge Leonard issued a Report and Recommendation to address Defendant's Motion, recommending "that Defendant Atlas North America LLC's Motion for Sanctions, ECF No. 52, be DENIED." Report & Rec. at 1, ECF No. 63. By copy of the Report, each party was advised of their right to file written

objections to the findings and recommendations made by the Magistrate Judge within 14 days from the date of mailing of the report. *Id.* at 2.

The Court has received no objections to the report, and the time for filing the same has expired. “[I]n the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72, Advisory Committee’s Note). Finding no clear error, the Court does hereby accept the findings and recommendations set forth in the Report and Recommendation by Judge Leonard.

Accordingly, the Report and Recommendation (ECF No. 63) is **ADOPTED**. For the reasons stated therein, Defendant’s Motion for Sanctions (ECF No. 52) is **DE-NIED**. The Clerk is **REQUESTED** to provide a copy of this Order to all parties.

**IT IS SO ORDERED.**

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/s/  
Arenda L. Wright Allen  
United States District Judge

August 5, 2025  
Norfolk, Virginia